

United States District Court

JAN 15 2017

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Maria Adela Gonzalez-Elias

PRINCIPAL

United Mexican States CT. 2

Case Number:

YOB: 1974

M-17-0097-M

Eva Michelle Sanchez

CO-PRINCIPAL

United States CT. 1

YOB: 1969

Jennifer Garcia

CO-PRINCIPAL

United States CT. 1

YOB: 1994

Hilda Eliza Rodriguez

CO-PRINCIPAL

United States CT. 1

YOB: 1975

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about

January 13, 2017

in

Hidalgo

County, in

the

Southern

District of

Texas

defendants(s) did,

(Track Statutory Language of Offense)

CT. 1 knowing or in reckless disregard of the fact that Cristo Rey Pineda-Alvarez, Eliezer Aguirre-Ortiz, Raul de Jesus Mejia-Rivera and Concorido Pedro Campohermoso-Ramos, citizens and nationals of Mexico, along with nineteen (19) other undocumented aliens, for a total of twenty three (23), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near McAllen, Texas,

CT. 2 knowing or in reckless disregard of the fact that Cristo Rey Pineda-Alvarez, Eliezer Aguirre-Ortiz, Raul de Jesus Mejia-Rivera and Concorido Pedro Campohermoso-Ramos citizens of Mexico, along with nineteen (19) other undocumented aliens, for a total of twenty three (23), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, in a residence near McAllen, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONYI further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 13, 2017, Border Patrol Agents received information from the Texas Department of Public Safety (DPS) Criminal Investigations Division (CID) regarding apartment #137 being used to harbor illegal aliens. Agents, along with Texas DPS CID Special Agents conducted surveillance at the apartment complex located at 1200 W. Nolana Ave. in McAllen, Texas.

SEE ATTACHED

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on January 15, 2017.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed.R.Cr.P. 4.1, and probable cause found on:

/s/ Jon M. Chan

Signature of Complainant

Jon M. Chan

Senior Patrol Agent

Printed Name of Complainant

January 15, 2017

3:52 p.m.

Date

at McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
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CONTINUATION:

While conducted surveillance, agents observed a red Chrysler 300 approach the parking lot of the apartment complex. A female, later identified as Maria Adela GONZALEZ-Elias, approached the driver side of the red 300 along with three male subjects. GONZALEZ was observed conversing with the driver of the red 300 and was seen making a gesture to the male subjects to enter the red 300. The information was relayed to a DPS Trooper who conducted a traffic stop on the red 300 for Failure to Signal Required Distance before Turning. Agents approached the traffic stop and identified the driver as Eva Michelle SANCHEZ, a United States Citizen, and determined the three passengers to be illegally present in the United States.

All subjects were placed under arrest and transported to the Weslaco Border Patrol Station for processing.

Border Patrol Agents, along with DPS CID Special Agents continued their surveillance on the apartment complex. Agents observed a black GMC Terrain arrive to the parking lot and pick up two male subjects along with a pink storage container. DPS CID Special Agents maintained visual of the black Terrain as it departed the apartment complex. Agents observed the black Terrain making several turns and come to an abrupt stop. Agents then observed the same two male subjects exit the black Terrain and began walking in an alleyway. Border Patrol Agents approached the two male subjects and determined them to be illegally present in the United States. Border Patrol Agents relayed the information to DPS CID Special Agents who subsequently conducted a vehicle stop on the black Terrain. Border Patrol Agents arrived to the vehicle stop and identified the driver as Jennifer GARCIA and the passenger as Hilda Eliza RODRIGUEZ, both United States Citizens. GARCIA and RODRIGUEZ were advised of their Miranda Rights.

The pink storage container contained food items commonly found with illegal aliens who attempt to circumvent a Border Patrol Checkpoint.

After GARCIA was advised of her Miranda Rights, GARCIA admitted to harboring an additional fourteen illegal aliens at her residence located at 6800 S. Rivera St. in Pharr, Texas. GARCIA gave Border Patrol Agents consent to enter and search her residence. Agents subsequently encountered fourteen illegal aliens.

All subjects were placed under arrest and transported to the Weslaco Border Patrol Station for processing.

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CONTINUATION:

Due to the agent's observations and subsequent arrest, a coordinated approach for consent to search apartment #137 was conducted. A DPS Trooper, DPS CID Special Agents along with Border Patrol Agents approached the apartment and encountered GONZALEZ in the parking lot outside the apartment. Agents identified themselves and determined GONZALEZ to be illegally present in the United States. GONZALEZ was then advised of her Miranda Rights, gave agents consent to search her apartment and advised there were four illegal aliens inside her apartment. A search of GONZALEZ's apartment was conducted and resulted in the apprehension of four illegal aliens.

All subjects were place under arrest and transported to the Weslaco Border Patrol Station for processing.

Principal Statement 1:

Maria Adela GONZALEZ-Elias, a citizen and national of the United Mexican States, was advised of her Miranda Rights, stated she understood her rights and agreed to answer questions without the presence of an attorney.

Maria Adela GONZALEZ-Elias admitted she received 100 USD per illegal alien she harbors at her apartment. GONZALEZ claimed she has received approximately 25,000 to 28,000 USD during the months she has been harboring illegal aliens. GONZALEZ stated she paid 1,500 USD to Jennifer GARCIA to harbor illegal aliens at GARCIA's residence.

Principal Statement 2:

Eva Michelle SANCHEZ, a United States Citizen, was advised of her Miranda Rights, stated she understood her rights and agreed to answer questions without the presence of an attorney.

SANCHEZ claimed she was contacted by Maria Adela GONZALEZ-Elias and asked to pick up three people and transport them to a convenience store. SANCHEZ stated she picked up the three people and knew they were illegal aliens once she heard them talking. SANCHEZ claimed that GONZALEZ was going to contact another person to see if she could pay SANCHEZ for transporting the three people.

SANCHEZ identified Maria Adela GONZALEZ-Elias through a photo lineup, as the person who contacted her to transport the three people.

Principal Statement 3:

Jennifer GARCIA, a citizen and national of the United States, was advised of her Miranda Rights, stated she understood her rights and agreed to answer questions without the presence of an attorney.

GARCIA claimed she was approached by Maria Adela GONZALEZ-Elias who offered her a job transporting and harboring illegal aliens. GARCIA stated she has been working for GONZALEZ for four weeks and has transported approximately thirty to forty illegal aliens. GARCIA further stated that GONZALEZ would pay her

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CONTINUATION:

100 USD per illegal alien along with paying for her rent.

GARCIA stated she was contacted by GONZALEZ who asked her to pick up two illegal aliens and food at her apartment. GARCIA acknowledged and advised GONZALEZ she would be arriving with Hilda Eliza RODRIGUEZ. GARCIA drove to GONZALEZ's apartment with RODRIGUEZ and picked up two illegal aliens. GARCIA stated she and RODRIGUEZ believed they were being followed by law enforcement and dropped off the two illegal aliens near an alley. GARCIA was subsequently pulled over by law enforcement. GARCIA admitted to agents that she was harboring an additional fourteen illegal aliens at her residence and gave agents consent to search her home.

GARCIA identified Maria Adela GONZALEZ-Elias through a photo lineup, as the person in charge of smuggling aliens.

Principal Statement 4:

Hilda Eliza RODRIGUEZ, a citizen and national of the United States, was advised of her Miranda Rights, stated she understood her rights and declined to answer questions without the presence of an attorney.

Material Witness Statement 1:

Cristo Rey PINEDA-Alvarez, a citizen and national of the United Mexican States, was advised of his Miranda Rights, stated he understood his rights and agreed to answer questions without the presence of an attorney.

PINEDA claimed he made his smuggling arrangements and was to pay 2,000 USD. After illegally crossing into the United States, PINEDA stated he was transported to an apartment complex. At the apartment, a female gave him instructions and eventually instructed him to board a red car. PINEDA stated that after departing the apartment complex in the red car, they were pulled over by law enforcement.

PINEDA identified Maria Adela GONZALEZ-Elias through a photo lineup, as the female in charge at the apartment and identified Eva Michelle SANCHEZ through a photo lineup, as the driver of the red car.

Material Witness Statement 2:

Eliezer AGUIRRE-Ortiz, a citizen and national of the United Mexican States, was advised of his Miranda Rights, stated he understood his rights and agreed to answer questions without the presence of an attorney.

ORTIZ claimed that after illegally crossing into the United States he was picked up in a green car and transported to an apartment complex. ORTIZ stated he was at the apartment for a little over a day before a female instructed him to board a red car. Once ORTIZ boarded the red car, he was instructed by the driver to move to the front seat. After departing the apartment complex they were pulled over by law enforcement. ORTIZ stated the female driver told them to tell law enforcement that she was just giving them a ride.

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ORTIZ identified Maria Adela GONZALEZ-Elias through a photo lineup, as the female in charge at the apartment and identified Eva Michelle SANCHEZ through a photo lineup, as the driver of the red car.

Material Witness Statement 3:

Raul de Jesus MEJIA-Rivera, a citizen and national of the United Mexican States, was advised of his Miranda Rights, stated he understood his rights and agreed to answer questions without the presence of an attorney.

MEJIA claimed that after illegally crossing into the United States he was eventually transported to an apartment. MEJIA stated a female who was in charge of the apartment gave him two options to be smuggled north. The first option was to walk around the Border Patrol Check point for 4,500 USD or to travel north in a tractor trailer for 6,000 USD. MEJIA stated that the female by the name of Jenny was going to pick him up. MEJIA stated Jenny arrived with a female passenger and he boarded the black four door vehicle. Approximately five to ten minutes after departing the apartment, MEJIA stated that Jenny suddenly stopped and instructed him to get off and run. MEJIA further stated he was approached by law enforcement and placed under arrest.

MEJIA identified Maria Adela GONZALEZ-Elias through a photo lineup, as the person in charge of the apartment. MEJIA further identified Jennifer GARCIA and Hilda Eliza RODRIGUEZ through a photo lineup, as the driver and passenger of the vehicle he was being transported in.

Material Witness Statement 4:

Concordio Pedro CAMPOHERMOSO-Ramos, a citizen and national of the United Mexican States, was advised of his Miranda Rights, stated he understood his rights and agreed to answer questions without the presence of an attorney.

CAMPOHERMOSO stated that after illegally crossing into the United States he was transported to an apartment. CAMPOHERMOSO claimed a female, who was in charge of the apartment, gave him instructions and provided him with food. CAMPOHERMOSO stated that after four days, the female instructed him to walk out to the parking lot because a black vehicle was waiting for him. CAMPOHERMOSO stated there was a female driver and a female passenger in the black vehicle. CAMPOHERMOSO claimed the female driver told him to hurry up and get in and to crouch down in the seat. CAMPOHERMOSO stated that after the driver noticed law enforcement, she instructed him to get out and run away.

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CAMPOHERMOSO identified Maria Adela GONZALEZ-Elias through a photo lineup, as the person in charge of the apartment.

CAMPOHERMOSO further identified Jennifer GARCIA through a photo lineup, as the driver of the vehicle he was being transported in.

CAMPOHERMOSO identified the female passenger as heavy set but could not identify her in a photo lineup.